

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EMILY FAIRBAIRN, et al.,

Plaintiffs,

v.

FIDELITY INVESTMENTS  
CHARITABLE GIFT FUND,

Defendant.

Case No.18-cv-04881-JSC

**ORDER DENYING REQUEST TO  
COMPEL ANSWERS TO REQUESTS  
FOR ADMISSIONS**

Re: Dkt. No. 80

Now pending before the Court is the parties' joint letter brief regarding Defendant's request to compel Plaintiffs to answer Defendant's Request for Admissions 21 and 22 to Ms. Fairbairn and 24 and 25 to Mr. Fairbairn. Defendant's request is DENIED. Plaintiffs shall supplement their interrogatory responses by July 1, 2019 as promised. If Plaintiffs' factual recitation of their fraud claims materially changes later in the litigation, and Defendant believes it can show that it has somehow been prejudiced such that Plaintiffs should be prevented from asserting those facts, Defendant can raise the issue at the time (assuming it has some authority for its position).

This Order disposes of Docket No. 80.

**IT IS SO ORDERED.**

Dated: July 9, 2019

  
JACQUELINE SCOTT CORLEY  
United States Magistrate Judge